

CHARLES AND NICOLE BALL,)	
individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiffs,)	
v.)	
)	Case No. 4:12-cv-00144 NKL
THE BANK OF NEW YORK, AS)	Judge Nanette K. Laughrey
TRUSTEE FOR CWALT, INC.,)	
et al.,)	
)	
Defendant.)	
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)	
)	
)	
MARY HILLEBERT, individually)	
and on behalf of all others)	
similarly situated,)	
)	
Plaintiff,)	Case No. 4:12-cv-00316 JTM
)	Judge John T. Maughmer
v.)	
)	
THE BANK OF NEW YORK)	
MELLON FKA THE BANK OF)	
NEW YORK, NOT IN ITS)	
INDIVIDUAL CAPACITY BUT)	
SOLELY AS TRUSTEE FOR)	
CWABS INC.,)	
)	
Defendant.)	
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RUTH A. AND MICHAEL D.)	
BATES, individually and on)	
behalf of all others similarly)	
situated,)	
)	Case No. 4:12-cv-00318 SOW
Plaintiffs,)	Judge Scott O. Wright
)	
v.)	
)	
DEUTSCHE BANK NATIONAL)	
TRUST COMPANY, AS TRUSTEE)	
FOR ARGENT SECURITIES, INC.,)	
)	
Defendant.)	
_____)	
)	
GLORIA AND EDWARD KIDD,)	
individually and on behalf of all)	
others similarly situated,)	
)	
Plaintiffs,)	Case No. 4:12-cv-00322 HFS
)	Judge Howard F. Sachs
v.)	
)	
WELLS FARGO BANK, N.A.,)	
AS TRUSTEE FOR THE)	
CERTIFICATEHOLDERS OF THE)	
MLMI TRUST,)	
)	
Defendant.)	
_____)	

PLAINTIFFS' MOTION TO CONSOLIDATE

Pursuant to Federal Rule of Civil Procedure 42(a), plaintiffs Charles and Nicole Ball, ("Plaintiffs"), hereby move to consolidate the following related cases with this case: Mary Hillebert v. The Bank of New York Mellon, as Trustee for CWABS, Inc., Case No. 4:12-cv-00316 JTM ("Hillebert"); Ruth A. and Michael D. Bates v. Deutsche Bank National Trust

_____, Case No. 4:12-cv-00318 SOW (“Bates”), and Gloria and Edward Kidd v. Wells Fargo Bank, N.A., as Trustee for the Certificateholders of the MLMI Trust, Case No. 4:12-cv-00322 HFS (“Kidd”).

In support of this Motion, plaintiffs state as follows:

1. All four cases (Ball, Hillebert, Bates and Kidd) assert claims that are predicated on the same fundamental factual allegations and legal principles.

2. All of the parties and the Courts will benefit from the elimination of duplicate briefing, repetitious discovery, recurring evidentiary and legal issues, and the reduced number of possible jury trials. Further, consolidation would curb the possibility of inconsistent rulings.

3. Consolidation of the four cases at issue will not result in any confusion, undue delay or unfair prejudice to any party.

4. Accordingly, given the benefits of judicial convenience likely to result from consolidation of these matters, consolidation under Fed. R. Civ. P. 42(a) is both proper and warranted.

5. The grounds in support of this Motion are more fully set out in the accompanying Suggestions in Support, and are incorporated herein by reference.

WHEREFORE, for the foregoing reasons, plaintiffs respectfully request that the Court grant this Motion to Consolidate, assign the

consolidated cases (Hillebert, Bates and Kidd) to the Ball Court, and for such other relief as deemed necessary under the circumstances.

Dated: March 14, 2012

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of February, 2012, a copy of the foregoing Plaintiffs' Motion to Consolidate was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated in the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may also access this filing through the Court's electronic filing system.

/s/ Gregory Leyh
Attorney for Plaintiffs